

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

SONYA LARSON

Plaintiff,

v.

DAWN DORLAND PERRY, et al.

Defendants.

Civil Action

No. 1:19-cv-10203-IT

**AFFIDAVIT OF ANDREW D. EPSTEIN**

I, Andrew D. Epstein, Counsel for Sonya Larson, on oath depose and state as follows:

1. I served Larson's first set of Interrogatories on Dorland on February 24, 2021, and a second set of document requests the following day. Dorland's answers to interrogatories were due on March 26, and responses to Larson's document requests were due on March 29, 2021. I gave Attorney Elovecky additional time to April 3 to respond to the discovery. This gave me only one day to review answers and responses and to prepare a Motion to Compel before the previously scheduled scheduling conference with Judge Talwani.

2. I spent almost all day on Sunday, April 4 (Easter Sunday/Passover), preparing Larson's Motion to Compel that is presently before the court. Ms. Larson did not have a chance to fully review and comment on the Motion before it was filed.

3. Dorland complained that Larson delayed producing certain discovery for about six months. This is true. What is missing from this statement is that during this time, I am told

that Ms. Larson gave birth to her first child. Both her daughter and Ms. Larson had lingering health issues, requiring several post-partum hospitalizations for Larson and many follow-up medical appointments for her daughter. Also, during this period, my wife who is in her 70s, was hospitalized in Salem Hospital on two occasions for five days each time with heart related issues.

4. Although Cohen Law's depositions had been noticed on several occasions prior to the end of discovery, and most recently for April 8, 2021, counsel for Cohen Law could never seem to find an acceptable date.

5. On March 12, 2021, before Dorland's Motion to Compel was filed in court, I sent an email to Dorland's counsel telling her that additional responsive documents were located and would be produced. The documents were sent via U.S. Express Mail and delivered to Attorney Elovecky's office on March 29, 2021.

Signed under the pains and penalties of perjury this 28<sup>th</sup> day of April 2021.

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Andrew D. Epstein

**Certificate of Service**

I certify that Plaintiff's Motion for Leave together with a Reply and a further Opposition and two affidavits were filed through the court's ECF system copies were sent electronically on the day they were filed to all counsel of record.

*/s/ Andrew D. Epstein*

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April 28, 2021

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Andrew D. Epstein